

No. \_\_\_\_\_  
IN THE COURT OF CRIMINAL APPEALS  
AT AUSTIN

FILED  
COURT OF CRIMINAL APPEALS  
3/26/2021  
DEANA WILLIAMSON, CLERK

No. 09-18-00474-CR  
09-18-00475-CR

IN THE  
COURT OF APPEALS  
FOR THE  
NINTH DISTRICT OF TEXAS  
AT HOUSTON

**TIMOTHY AARON SWINNEY**  
*Appellant*

v.

**THE STATE OF TEXAS**  
*Appellee*

Cause Number ND 7248 & ND 7289  
From the 1-A Judicial District Court  
Newton County, Texas

**APPELLANT'S MOTION FOR EXTENSION OF TIME WITHIN WHICH TO FILE  
PETITION FOR DISCRETIONARY REVIEW**

To the Honorable Court of Appeals of Texas:

Comes now Timothy Aaron Swinney, Appellant, in accordance with Rule  
68.2(c) of the Texas Rules of Appellate Procedure, and moves for extension of time in

which to file the its petition for discretionary review, and, in support thereof, presents the following:

1. Appellant was charged with two counts of aggravated assault with a deadly weapon.
2. Appellant was found guilty by a jury and sentenced to 8 years for cause number ND 7248 and 2 years for cause number ND 7249 in the Texas Department of Corrections on November 7, 2018.
3. A unanimous panel of the Ninth Court of Appeals rendered judgment in an unpublished opinion on January 27, 2021, affirming appellant's conviction and sentence.
4. Appellant's motion for rehearing was denied on March 12, 2021.
5. Appellant's petition for discretionary review is due April 12, 2021.
6. Appellant seeks an extension, in accordance with the Tex. R. App. P., until May 12, 2021.
7. No previous extensions have been granted to the Appellant.
8. The facts relied upon to explain the need for this extension are:
  - a. Appellate counsel needs additional time to adequately research and write the petition.

WHEREFORE, the Appellant prays that this Court will grant the requested extension of time until May 12, 2021.

Respectfully submitted,

**LAW OFFICE OF TONYA ROLLAND**

/s/ 'Tonya Rolland

**Tonya Rolland**

1523 Yale Street

Houston Texas 77008

Phone: (713) 529-8500

Fax: (713) 453-2203

TBN 24054176

tonya@rollandlaw.com

**CERTIFICATE OF SERVICE**

This is to certify that a copy of the foregoing instrument has been e-served to the following addresses on March 25, 2021:

Courtney.Ponthier@co.newton.tx.us

Brett@udashenanton.com

/s/ 'Tonya Rolland

**Tonya Rolland**

**Attorney for Appellant**

### **Automated Certificate of eService**

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Tamara Buck on behalf of Tonya Rolland  
Bar No. 24054176  
tamara@rollandlaw.com  
Envelope ID: 51838685  
Status as of 3/26/2021 10:22 AM CST

#### Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Courtney Ponthier	24060741	courtney.ponthier@co.newton.tx.us	3/25/2021 3:24:44 PM	SENT
Brett Ordiway		brett@udashenanton.com	3/25/2021 3:24:44 PM	SENT